

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

UNITED STATES OF AMERICA,  Plaintiff,  vs.  JOSEPH ATTERBERRY,  Defendant.	5:23-CR-50026-RAL  SENTENCING SCHEDULING ORDER
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Defendant Joseph Atterberry appeared before Magistrate Judge Daneta Wollmann for a change of plea hearing on February 7, 2024. Judge Wollmann issued a Report and Recommendation recommending that the Court accept Defendant's plea of guilty to Count I as alleged in the Indictment. For good cause, it is hereby

ORDERED that this Court adopts the Report and Recommendation, Doc. 44, the plea of guilty is accepted, and Defendant is adjudged guilty of Count I as alleged in the Indictment. It is further

ORDERED that the draft presentence report shall be filed by the Probation Office in CM/ECF using the Draft Presentence Report event by **April 4, 2024**. It is further

ORDERED that any objection to the presentence report and notice of intent to seek a departure by either the Government or the Defendant shall be filed by counsel in CM/ECF using the Objections to Presentence Report event by **April 18, 2024**. If counsel has no objections to the

presentence report, counsel should indicate such by using the Notice of No Objections to Presentence Report event. It is further

ORDERED that all letters of support shall be filed by counsel in CM/ECF using the Sealed Letter(s) of Support event by **May 2, 2024**. All letters of support shall be legibly scanned as one document and not scanned as separate documents. It is further

ORDERED that the final presentence report shall be filed by the Probation Office in CM/ECF using the Final Presentence Report event by **May 2, 2024**. An addendum setting forth any unresolved objections, the grounds for those objections, and the probation officer's comments on those objections shall also be filed in CM/ECF using the Addendum to Final Presentence Report event. It is further

ORDERED that any Sentencing Memorandum and Motion for Departure or Variance shall be filed in CM/ECF by **May 9, 2024**. It is further

ORDERED that the sentencing hearing and any necessary evidentiary hearing regarding sentencing shall be held on **Thursday, May 16, 2024 at 2:00 p.m.**, in the Courtroom of the U.S. Courthouse in Rapid City, South Dakota.

DATED this 15th day of February, 2024.

BY THE COURT:

  
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ROBERTO A. LANGE  
CHIEF JUDGE